

107TH CONGRESS
1ST SESSION

H. R. 743

To eliminate the fees associated with Forest Service special use permits authorizing a church to use structures and improvements on National Forest System lands for religious or educational purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 27, 2001

Mr. DUNCAN introduced the following bill; which was referred to the
Committee on Agriculture

A BILL

To eliminate the fees associated with Forest Service special use permits authorizing a church to use structures and improvements on National Forest System lands for religious or educational purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. ELIMINATION OF FEES FOR FOREST SERVICE**

4 **SPECIAL USE PERMITS ISSUED TO CHURCH-**

5 **ES.**

6 (a) FEES PROHIBITED.—After the date of the enact-
7 ment of this Act, the Secretary of Agriculture may not
8 impose or collect any fee in connection with the issuance

1 to a church of a special use permit described in subsection
 2 (b). Nothing in this subsection shall affect those fees col-
 3 lected by the Secretary on or before that date.

4 (b) COVERED SPECIAL USE PERMITS.—A special use
 5 permit referred to in subsection (a) is a special use permit
 6 in effect after the date of the enactment of this Act that—

7 (1) authorizes a church to occupy and use any
 8 structure or improvement located on National Forest
 9 System lands for religious or educational purposes;
 10 and

11 (2) was issued by the Forest Service before that
 12 date, or is issued by the Forest Service on or after
 13 that date, under the authority of any special use
 14 permit law.

15 (c) DEFINITIONS.—In this section:

16 (1) CHURCH.—The term “church” means a
 17 church, a convention or association of churches, or
 18 an elementary or secondary school that is controlled,
 19 operated, or principally supported by a church or a
 20 convention or association of churches.

21 (2) SPECIAL USE PERMIT LAW.—The term
 22 “special use permit law” includes—

23 (A) the last paragraph under the heading
 24 “FOREST SERVICE” in the Act of March 4,
 25 1915 (16 U.S.C. 497);

1 (B) section 4(c) of the Land and Water
2 Conservation Fund Act of 1965 (16 U.S.C.
3 460l–6a(c));

4 (C) section 7 of the Act of April 24, 1950
5 (16 U.S.C. 580d; commonly known as the
6 Granger-Thye Act); and

7 (D) any other law authorizing the issuance
8 of special use permits by the Forest Service.

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